

29143. Frozen eggs. (F.D.C. No. 44597. S. No. 32-690 R.)

QUANTITY: 1,000 30-lb. cans, at Brooklyn, N.Y.

SHIPPED: 4-19-60, from Portland, Oreg., by Oregon Egg & Poultry Co.

LABEL IN PART: "Whole Eggs * * * Oregon Egg & Poultry Co. * * * Portland Oregon."

LIBELED: 6-14-60, E. Dist. N.Y.

CHARGE: 402(a)(3)—contained decomposed eggs when shipped.

DISPOSITION: 10-24-61. Consent—claimed by Helfer-King, Inc., New York, N.Y., and denatured.

29144. Frozen eggs. (F.D.C. No. 49227. S. No. 457 X.)

QUANTITY: 159 30-lb. cans, at Greenville, S.C.

SHIPPED: Between 7-26-63 and 8-1-63, from Blairsville, Ga., by Blue Ridge Egg Co.

LABEL IN PART: "Blue Ridge Egg Co. Whole Eggs Blairsville, Georgia."

LIBELED: On or about 9-3-63, W. Dist. S.C.

CHARGE: 402(a)(3)—contained decomposed eggs when shipped.

DISPOSITION: 11-12-63. Default—destruction.

FISH AND SHELLFISH

29145. Frozen fish fillets. (F.D.C. No. 49258. S. Nos. 28-469/71 X.)

QUANTITY: 362 cases, each containing 9 5-lb. pkgs. at Sioux City, Iowa.

SHIPPED: 1-12-63 and 3-13-63, from Gloucester, Mass., by F. W. Bryce, Inc.

LABEL IN PART: (Pkg.) "Breaded Haddock" and "Raw Haddock."

LIBELED: 9-9-63, N. Dist. Iowa.

CHARGE: 402(b)(2)—when shipped, pollock fish had been substituted in whole or in part for haddock; 403(a)—the label statements "Haddock" were false and misleading as applied to products consisting of fish fillets or portions of fish prepared from pollock fish; 403(b)—fillets or portions of fish other than that claimed on the labels had been offered for sale under the name of another food, namely, haddock; 403(e)(1)—the articles failed to bear a label containing the common or usual name of the food; and 403(i)(2)—the article labeled as breaded haddock was fabricated from two or more ingredients and it failed to bear a label containing the common or usual name of each ingredient.

DISPOSITION: 9-30-63. Consent—claimed by Stoller Fisheries, Inc., Spirit Lake, Iowa, and released under bond for relabeling.

29146. Frozen perch fillets. (F.D.C. No. 48987. S. No. 56-068 V.)

QUANTITY: 73 ctns., each containing 5 10-lb. ctns. of cellophane-wrapped fish fillets at Gloucester, Mass., in possession of New England Fillet Co., Inc.

SHIPPED: The fillets were prepared and packed from fish caught outside the territorial limits of the State of Massachusetts in the waters of the Atlantic Ocean by the fishing vessel "Sea Queen" which unloaded on 5-6-63.

LABEL IN PART: (50-lb. ctn.) "Seacrest Brand Ready to Cook Frozen Fillets Packed by New England Fillet Co., Inc. * * * Boston, Mass.," (10-lb. ctn.) "Seacrest Brand * * * Perch Frozen Fillets New England Fillet Co., Inc.,"